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Attorneys for Defendants
THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA, JANET YI MAN LEE,
M.D., DIANE EHRENSAFT, Ph.D. and
STEPHEN ROSENTHAL, M.D.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EDWARD ALLYN HUDACKO,

Plaintiff,

vs.

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA; JANET YI MAN LEE,
MD in her official capacity; JANET YI
MAN LEE, MD in her individual capacity;
DIANE EHRENSAFT, PHD, in her official
capacity; DIANE EHRENSAFT, PHD in
her individual capacity; STEPHEN
ROSENTHAL, MD in his official capacity;
STEPHEN ROSENTHAL, MD in his
individual capacity; ASAF ORR in his
official capacity; ASAF ORR in his
individual capacity; NATHANIEL BIGGER
as de facto state actor; NATHANIEL
BIGGER in his individual capacity;
DANIEL HARKINS as de facto state
actor; DANIEL HARKINS in his individual
capacity; CHRISTINE HUDACKO as de
facto state actor; and CHRISTINE
HUDACKO in her individual capacity; and
DOES 1-100,

Defendants.

No. 3:23-cv-05316-SI

**JOINT STIPULATION AND
~~[PROPOSED]~~ ORDER CONTINUING
CASE MANAGEMENT
CONFERENCE TO JUNE 7, 2024**

Current CMC Hearing: April 19, 2024
Proposed CMC Hearing: June 7, 2024

Hon. Judge Susan Illston
Courtroom 1—17th Floor

Complaint Filed: October 18, 2023
Trial Date: not yet set

Pursuant to Civil Local Rules 6-2 and 7-12, the undersigned counsel, on
behalf of their respective clients, submit the following stipulation requesting that this

1 Court continue the April 19, 2024 Case Management Conference to June 7, 2024, or
 2 to a later date *after* the Court rules on the pending motions to dismiss the First
 3 Amended Complaint (motions on calendar for May 10, 2024).

4 **RECITALS**

5 1. On October 18, 2023, plaintiff Edward Hudacko filed a complaint against
 6 defendants Christine Hudacko, The Regents of The University of California ("The
 7 Regents"), Janet Yi Man Lee, M.D., Diane Ehrensaft, Ph.D., Stephen Rosenthal,
 8 M.D., Asaf Orr, Esq., Nathaniel Bigger, Esq., and Daniel Harkins, Esq. (ECF 1.)

9 2. On October 26, 2023, plaintiff filed a First Amended Complaint against
 10 defendants asserting seven (7) causes of action including claims for: (1) 42 U.S.C. §
 11 1983: Deprivation of Civil Right to Family Unity & to Direct a Minor Child's Medical
 12 Care Without Due Process and Conspiracy to Same; (2) 14th Amendmen Procedural
 13 Due Process Violation; (3) Fraud by Concealment and Civil Conspiracy to Same; (4)
 14 Medical Battery and Civil Conspiracy to Same; (5) Intentional Infliction of Emotional
 15 Distress & Civil Conspiracy to Same; (6) Negligent Infliction of Emotional Distress;
 16 and (7) 28 U.S.C. § 2201: Declaratory Judgment Re: the Civil Rights of Edward Allyn
 17 Hudacko. Plaintiff also seeks punitive damages in connection with his claims. (ECF
 18 19.)

19 3. There are currently four (4) pending motions to dismiss the First
 20 Amended Complaint and a motion to strike. (ECF 32-37.) The hearings were
 21 previously scheduled for February 16, 2024. The Court, sua sponte, issued an order
 22 continuing the hearings to March 29, 2024. (ECF 64.) Recently, the Court issued an
 23 order, sua sponte, continuing the hearings again to May 10, 2024. (ECF 69.)

24 4. Counsel for defendants Christine Underhill and Nathaniel Bigger is
 25 unavailable on April 19, 2024 for the Case Management Conference.

26 5. The Parties met and conferred and agree that the Case Management
 27 Conference and Initial Disclosure related deadlines should be continued to a date
 28

1 after the Court issues a ruling on the pending motions to dismiss and to a date when
2 all counsel of record are available. The parties jointly propose:

3 Initial Disclosure Conference: by May 17, 2024

4 Initial Disclosures: by May 31, 2024

5 Case Management Conference: June 7, 2024

6 6. This is the parties' second request for a continuance of the Case
7 Management Conference. The parties previously requested the Court continue the
8 CMC hearing and Initial Disclosure deadlines to a date after the set hearings for the
9 motions to dismiss. However, given the Court already continued the CMC hearing to
10 a date after the motion to dismiss hearing dates, the Court denied the request. (ECF
11 52.)

12 7. Due to the above stated reasons including scheduling conflicts, the
13 parties believe that good cause exists to continue the Case Management Conference
14 date and the related Initial Disclosure deadlines. The parties agree that a continuance
15 of the Case Management Conference will not adversely impact the progress of this
16 case.

17 IT IS SO STIPULATED.

18
19 Dated: January 23, 2024

LAW OFFICES OF TRACY L. HENDERSON, ESQ.

20
21 By: _____/s/
Tracy L. Henderson, Esq.
22 Attorney for Plaintiff EDWARD HUDACKO

23 Dated: January 23, 2024

HASSARD BONNINGTON LLP

24
25 By: _____/s/
Corinna E. Meissner
26 Alexandra C. Seibert
Attorneys for Defendant
27 THE REGENTS OF THE UNIVERSITY OF
28 CALIFORNIA, JANET YI MAN LEE, M.D., DIANE
EHRENSAFT, Ph.D. and STEPHEN ROSENTHAL,

M.D.

Dated: January 23, 2024

RANKIN, SHUEY, MINTZ, LAMPASONA & HARPER

By:_____/s/_____
Kevin Mintz
Damon M. Thurston
Attorneys for Defendant ASAF ORR

Dated: January 23, 2024

CONSUMER LAW CENTER, INC.

By:_____/s/_____
Fred W. Schwinn
Raeon R. Roulston
Matthew C. Salmonsens
Attorneys for Defendants
NATHANIEL BIGGER and CHRISTINE
UNDERHILL FKA CHRISTINE HUDACKO

Dated: January 23, 2024

MANNING KASS

By:_____/s/_____
Michael L. Smith
Mark R. Wilson
Attorneys for Defendant
DANIEL HARKINS

[PROPOSED] ORDER

GOOD CAUSE APPEARING from the parties' foregoing Stipulation, the Case Management Conference currently scheduled for April 19, 2024, is continued to June 7, 2024 ~~or another date more convenient for the Court~~ :_____.

The Initial Disclosure related deadlines shall also be continued as follows:

Initial Disclosure Conference by May 17, 2024, and Initial Disclosures by May 31, 2024.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Date: March 14, 2024



Honorable Judge Susan Illston